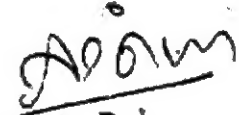


महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६
कलम ३७(२) अन्वये बृहन्मुंबई विकास नियंत्रण
नियमावलीतील नियम ५८ मध्ये फेरबदल अधिसूचना.

महाराष्ट्र शासन,
नगर विकास विभाग,
शासन अधिसूचना क्रमांक: टिपोबी-४३०२/८३०/प्र.क्र.१०७/०३/नवि-११
मंत्रालय, मुंबई : ४०० ०३२, दिनांक: ६ मार्च, २००७

शासन निर्णय:- सोबत जोडलेली अधिसूचना राज्य शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,



(अभिरोज गिरकर)

अवर सचिव, महाराष्ट्र शासन.

प्रति,

महापालिका आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.
प्रमुख अभियंता (वि.नि.), बृहन्मुंबई महानगरपालिका, मुंबई.
संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
उपसंचालक, नगर रचना, बृहन्मुंबई, मुंबई.
व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-२ मध्ये प्रसिध्द करण्यात येवून त्याच्या प्रत्येकी २५ प्रती नगर विकास विभाग, (नवि-११), मंत्रालय, मुंबई-३२ व उप संचालक, नगर रचना, बृहन्मुंबई, इन्साइटमेंट आझाद मैदान, मुंबई-१ यांना पाठविण्यात याव्यात.)

कक्ष अधिकारी (संगणक कक्ष) (नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई ४०० ०३२.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रदर्शित करण्याबाबत आवश्यक ती कार्यवाही करावी.)
निषडनस्ता (नवि-११).

2 00 802 01 1454 31001

**Development Control Regulations for
Greater Mumbai, 1991.**

- Sanction under section 37 (2) of the Maharashtra Regional and Town Planning Act.
- Modification to Regulation 58(7).

GOVERNMENT OF MAHARASHTRA

Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated 6th March, 2007.

NOTIFICATION

No. TPB 4302/830/CR-107/2003/UD-11:

Whereas the Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by Government in Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No. DCR 1090/UD-11(RDP) dated 20th February, 1991 to come into force with effect from 25th March, 1991.

And whereas, Regulation 58 of the said Regulations deals with the development or redevelopment of lands of Cotton Textile Mills, which underwent modification (hereinafter referred to as "the said modified Regulation") vide Urban Development Department's Notification No. TPB-4320/516/CR-50/2000/Part-II/UD-11 dated 20/3/2001, after following the procedure laid down under section 37 of the said Act.

And whereas, as per Regulation No. 58(7)(a) of the said modified Regulation, if and when the builtup areas of a Cotton Textile Mills occupied for residential purpose, as on the 1st of January, 2000 is taken up for development or redevelopment, it should be obligatory on the part of land owner to provide to the occupant, in lieu of each tenement covered by the development or redevelopment scheme, free of cost, an alternative tenement of the size measuring not less than 20.90 sq.mt. (225 sq.ft.) carpet area.

And whereas, in connection with the subject issue Government has received complaints about eviction of the occupants of tenements in the premises of cotton textile mill and therefore Government vide its Order No. TPB 4302/830/CR-108/2002/UD-11 dated 4/6/2004 has sanctioned the modification to the Regulation 58(7)(a) that no occupants of the chawls shall be evicted till such time the occupant is provided with alternative accommodation of 225 sq.mt. carpet area in the development/redevelopment scheme.

And whereas, Government further desired that, the mill owner should undertake such redevelopment schemes so that the occupants are not evicted and for which it is found necessary to grant incentive to the owners (hereinafter referred to as "the said modification") which is otherwise available for redevelopment of cessed properties and accordingly Government has issued directives to the said Corporation under section 37(1) to modify Regulation on 12/12/2003 (hereinafter referred to as "the said directives").

And whereas, the said Corporation has failed to publish the notice within the specified period.

And whereas the said directives does not specify the conditions for the redevelopment and the said proposed modification is in the interest of public and requires modification to Regulation 58(7)(a).

And whereas, in view of the facts and circumstances mentioned above and in exercise of the powers contained in sub-section (1AA) of section 37 of the said Act, Government has issued the notice of even no. dated 29/6/2004 (hereinafter referred to as "the said Notice") regarding the said modification, for inviting suggestions/objections from any person with respect to the said modification.

And whereas, the said notice was published in the Government Gazette (Ordinary) dated 22/7/2004 and in the news paper namely Vartahar (Marathi) dated 7/7/04 and Economic Times (English) dated 3/8/2004.

And whereas, as per the said notice Government has appointed Deputy Director of Town Planning Gr. Mumbai as an officer under section 162 of the said act (hereinafter referred to as "the said officer") to scrutinize any suggestions/objections received and to grant hearing to the persons submitting suggestions/objections including Municipal Corporation of Gr. Mumbai (hereinafter referred to as "the said Corporation") and to submit his report to the Government regarding the said modification.

And whereas, the said officer has submitted his report vide letter No. DDTP/Br.Mumbai/37(1AA)/Modification/58(7)/1078-80 dated 5/10/2004 to the Government (hereinafter referred to as "the said Report").

And whereas, the said officer has recommended to sanction the said modification with some changes considering the suggestions/objections received from the general public.

And whereas, after consulting Director of Town Planning, Maharashtra State, Government is of opinion that the said modification should be sanctioned with some changes.

Now therefore, in exercise of the powers vested under section 37(2) of the said Act, Government hereby sanction the said modification as mentioned below:-

MODIFICATION

(A) Following proviso shall be added after Regulation 58(7)(a) of the said modified regulations:

For reconstruction/redevelopment to be undertaken by landlord/or Co-op. Housing Society of occupiers in respect of residential buildings/chawls located on the lands of Cotton Textile Mills, the following conditions shall apply.

- (i) in case redevelopment of buildings occupying part of larger holding, the notional area of plot on the basis of permissible FSI and the total built up area of the building shall be computed and thereafter considering such notional area of the plot, FSI equivalent to difference in the FSI required

- for rehabilitation of existing occupants and the existing FSI of the occupants shall be granted as additional incentive FSI.
- (ii) Each occupant shall be rehabilitated and given the carpet area of 20.90 sq.mt. or the existing carpet area occupied by him whichever is more subject to a maximum carpet area upto 70 sq.mt.
 - (iii) All the occupant of the old building shall be re-accommodated in the redeveloped building.
 - (iv) The list of occupants and area occupied by each of them in the old building shall be certified by MHADA.
- B) Fixes the date of publication of this notification in the government gazette as the date of coming into force of this modification.
- C) Directs the said corporation that in the schedule of modification sanctioning the said modifications after the last entry, the schedule referred to as (A) shall be added.

By order and in the name of the Governor of Maharashtra,


(Ashiraj Girkar)

Under Secretary to Government.